

REMARKS

Responsive to the Office Action mailed on September 21, 2009 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-19 are pending in the application. Claims 5-17 are withdrawn from consideration. Claims 1-4 and 18-19 are rejected under 35 USC 102(e) as being anticipated by Wong (US 20020116775A1, hereinafter "Wong"). Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Peifer (US 5699575, hereinafter "Peifer"). Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Klinger (US 5561881, hereinafter "Klinger").

In this paper, claims 1, 2 and 19 are amended. Support for the amendments can be found throughout the specification, claims and figures as originally filed.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Insufficiency of the Rejections

The rejections of claims 1-9 are insufficient, insofar as they do not comply with the requirements of MPEP 707.07 et seq., which requires that all rejections be stated with completeness and clarity.

Claims 1, 2 and 18 each recite a "power supply." This limitation is not addressed in the rejections over Wong, Peifer or Klinger.

Respectfully, the rejections of claims 1-4 and 18-19 should be withdrawn for this reason.

Rejections Over Wong

Claims 1-4 and 18-19 are rejected under 35 USC 102(e) as being anticipated by Wong. To the extent that the rejections apply to the claims now pending in the application, they are respectfully traversed.

The rejection of a claim for anticipation under 35 U.S.C. §102 requires that the prior art reference include every element of the rejected claim. Furthermore, as stated by the Federal Circuit, the prior art reference must disclose each element of the claimed invention “arranged as in the claim.” *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

Claim 1 recites an electric inter-dental brush device comprising a finger grip for containing a source of drive therein, **a housing for holding a power supply to the drive source in the finger grip**, the housing being always separate from the finger grip, and a cleaning brush secured at a tip portion of the electric inter-dental brush device, the cleaning brush being driven by the source of drive.

Wong teaches an automatic power-driven toothbrush, which comprises a motor 106 (i.e., the alleged “source of drive”) in a hollow case 105 (i.e., the alleged “finger grip”). The motor 106 is powered by a battery 108 disposed in the hollow case 105. When the battery 108 is to be recharged, the hollow case 105 must be integrated with the base-placement device 112 (i.e., the alleged “housing”). When the recharge is completed and the toothbrush is to be used, the hollow case 105 must be separated from the base-placement device 112.

Thus, in Wong the alleged “source of drive” 106 is driven by the “power supply” 108 in the alleged “finger grip” 105. There is no teaching or suggestion that the “source of drive” 106 in the “finger grip” 105 is driven by a power supply in the “housing” 112, as required by claim 1.

Claim 2 recites an electric inter-dental brush device comprising a finger grip for containing a source of drive therein, **a housing for holding a power supply to the source of drive in the finger grip**, the housing being always separate from the finger grip, a cleaning brush secured at

a tip portion of the electric inter-dental brush device, and **a connection member for always electrically connecting between the source of drive and the power supply for powering the cleaning brush.**

As noted above, in Wong the alleged "source of drive" 106 is driven by the "power supply" 108 in the alleged "finger grip" 105. There is no teaching or suggestion that the "source of drive" 106 in the "finger grip" 105 is driven by a power supply in the "housing" 112, as required by claim 2.

Furthermore, claim 2 requires "a connection member for always electrically connecting between the source of drive and the power supply for powering the cleaning brush." In Wong, when the recharge is completed and the toothbrush is to be used, the alleged "finger grip" 105 must be separated from the alleged "housing" 112.

Thus, even if the base-placement device 112 is considered to be the "power supply" of claim 2, the claim distinguishes over Wong because Wong does not teach a connection member always electrically connecting the "source of drive" 106 and the "power supply" in the "housing" 112, as required by claim 2.

Claim 18 recites an electric inter-dental brush device comprising **a finger grip for containing a source of drive therein, a housing for holding a power supply to the drive source in the finger grip**, the housing being separated from the finger grip and freely opened or closed but always electrically connected to the finger grip by a connection member, a cleaning brush secured at a tip portion of the electric inter-dental brush device, the cleaning brush being powered by the source of drive, and **a switch mechanism for allowing power supply to the cleaning brush only when the housing is closed and the cleaning brush is out of the housing.**

As noted above, Wong teaches the alleged "source of drive" 106 is in the alleged "finger grip" 105. The "source of drive" 106 is powered by the battery 108 disposed in the "finger grip" 105. There is no teaching or suggestion that the "source of drive" 106 in the "finger grip" 105 is driven by a power supply in the alleged "housing" 112, as required by claim 18.

Furthermore, Wong's control circuit 107 (i.e., the alleged "switch mechanism") is only used to control rotational speed. There is no teaching or suggestion in Wong that the alleged "switch mechanism" allows power supply to the cleaning brush only when the "housing" 112 is closed and the cleaning brush is out of the "housing" 112, as required by claim 18.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 1, 2 and 18. Applicant therefore respectfully requests that the rejection of claims 1, 2 and 18 be withdrawn and the claims passed to issue. Insofar as claims 3-4 and 19 depend from claim 1 or 18, and therefore incorporate all of the limitations of claim 1 or 18, it is Applicant's belief that these claims are also in condition for allowance over Wong.

Rejections Over Peifer

Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Peifer. To the extent that the rejections apply to the claims now pending in the application, they are respectfully traversed.

Peifer discloses a flexible rotary toothbrush. The toothbrush 10 has a handler 12 (i.e., the alleged "finger grip"), a motor 28 (i.e., the alleged "source of drive") disposed in the handler 12. A battery 32 is disposed in the handler 12 and drives the motor 28. When the toothbrush 10 is to be recharged, the handler 12 is integrated to a cabinet 40 including a wall 44 (i.e., the alleged "housing"). When the recharge is completed and the toothbrush is to be used, the handler 12 must be separated from the cabinet 40.

Thus, in Peifer the alleged "source of drive" 28 is driven by the "power supply" 32 in the alleged "finger grip" 12. There is no teaching or suggestion that the "source of drive" 28 in the "finger grip" 12 is driven by a power supply in the "housing" 40, as required by claim 1.

Similarly, with respect to claim 2, the alleged "source of drive" 28 is driven by the "power supply" 32 in the alleged "finger grip" 12. There is no teaching or suggestion that the "source of drive" 28 in the "finger grip" 12 is driven by a power supply in the "housing" 40, as required by claim 2.

Furthermore, claim 2 requires that “a connection member for always electrically connecting between the source of drive and the power supply for powering the cleaning brush.” In Peifer, when the recharge is completed and the toothbrush is to be used, the alleged “finger grip” 12 must be separated from the alleged “housing” 40.

Thus, even if cabinet 40 is considered to be the “power supply” of claim 2, the claim distinguishes over Peifer because Peifer does not teach a connection member always electrically connecting the “source of drive” 28 in the “finger grip” 12 and the “power supply” in the “housing” 40, as required by claim 2.

With respect to claim 18, there is no teaching or suggestion in Peifer that the alleged “source of drive” 28 in the “finger grip” 12 is driven by a power supply in the alleged “housing” 40, as required by claim 18.

Furthermore, Peifer’s switch 38 (i.e., the alleged “switch mechanism”) is only used to rotational direction. There is no teaching or suggestion in Peifer that the alleged “switch mechanism” 38 allows power supply to the cleaning brush only when the “housing” 40 is closed and the cleaning brush is out of the “housing” 40, as required by claim 18.

For at least the reasons described above, it is Applicant’s belief that the cited reference fails to teach or suggest all the limitations of claim 1, 2 and 18. Applicant therefore respectfully requests that the rejection of claims 1, 2 and 18 be withdrawn and the claims passed to issue. Insofar as claims 3-4 depend from claim 1, and therefore incorporate all of the limitations of claim 1, it is Applicant’s belief that these claims are also in condition for allowance over Peifer.

Rejections Over Klinger

Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Klinger. To the extent that the rejections apply to the claims now pending in the application, they are respectfully traversed.

Klinger teaches an electric toothbrush comprising an executive device 100 (i.e., the alleged “finger grip”) and a charge unit 200 (i.e., the alleged “housing”). The supply unit 110 is

disposed in the executive device 100 and drives a driving means 130 (i.e., the alleged “source of drive”). When the supply unit 110 is to be recharged, the executive device 100 must be integrated with the charge unit 200. When the recharge is completed and the toothbrush is to be used, the executive device 100 must be separated from the charge unit 200.

Thus, in Klinger the alleged “source of drive” 130 is driven by the “power supply” 110 in the alleged “finger grip” 100. There is no teaching or suggestion that the “source of drive” 130 in the “finger grip” 100 is driven by a power supply in the “housing” 200, as required by claim 1.

Similarly, with respect to claim 2, the alleged “source of drive” 130 is driven by the “power supply” 110 in the alleged “finger grip” 100. There is no teaching or suggestion that the “source of drive” 130 in the “finger grip” 100 is driven by a power supply in the “housing” 200, as required by claim 2.

Furthermore, claim 2 requires that “a connection member for always electrically connecting between the source of drive and the power supply for powering the cleaning brush.” In Klinger, when the recharge is completed and the toothbrush is to be used, the alleged “finger grip” 100 must be separated from the “housing” 200.

Thus, even if charge unit 200 is considered to be the “power supply” of claim 2, the claim distinguishes over Klinger because Klinger does not teach a connection member always electrically connecting the “source of drive” 130 in the “finger grip” 100 and the “power supply” in the “housing” 200, as required by claim 2.

With respect to claim 18, there is no teaching or suggestion in Klinger that the “source of drive” 130 in the “finger grip” 100 is driven by a power supply in the alleged “housing” 200, as required by claim 18.

Furthermore, Klinger’s switch 150 (i.e., the alleged “switch mechanism”) is only used to change the on/off status of the device. There is no teaching or suggestion in Klinger that the alleged “switch mechanism” 150 allows power supply to the cleaning brush only when the “housing” 200 is closed and the cleaning brush is out of the “housing” 200, as required by claim 18.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 1, 2 and 18. Applicant therefore respectfully requests that the rejection of claims 1, 2 and 18 be withdrawn and the claims passed to issue. Insofar as claims 3-4 depend from claim 1, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance over Klinger.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so. The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to Deposit Account No. **502447**.

Respectfully submitted,

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